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IN THE UNITED STATES DISTRICT COURT
5
FOR THE NORTHERN DISTRICT OF CALIFORNIA
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7 WILLIAM SOTO, G-49875,)
8 Petitioner,) No. C 12-0718 CRB (PR)
9 vs.) ORDER OF DISMISSAL
10 MIKE McDONALD, Warden,)
11 Respondent.)
12 _____)

13 Petitioner, a state prisoner incarcerated at High Desert State Prison, has
14 filed a second or successive petition for a writ of habeas corpus under 28 U.S.C.
15 § 2254. His first petition was dismissed on the merits on November 8, 2011. See
16 Soto v. McDonald, No. C 11-3050 CRB (PR) (N.D. Cal. Nov. 8, 2011) (order of
17 dismissal).

18 A second or successive petition may not be filed in this court unless
19 petitioner first obtains from the United States Court of Appeals for the Ninth
20 Circuit an order authorizing this court to consider the petition. See 28 U.S.C. §
21 2244(b)(3)(A). Petitioner has not obtained such an order from the Ninth Circuit.
22 The petition accordingly is DISMISSED without prejudice to refiling if petitioner
23 obtains the necessary order.

24 The clerk shall terminate all pending motions as moot and close the file.

25 SO ORDERED.

26 DATED: Feb. 21, 2012


27 CHARLES R. BREYER
United States District Judge